

Applicant: Kling, et al.

Serial No.: 10/800,500

Filed: 03/15/2004

For: REFLECTOR LAMP WITH REDUCED SEAL TEMPERATURE

Art Unit: 2875

Examiner: Bennett, Aahra I.

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DRAWINGS

A Replacement Sheet including Figs. 1 and 2 is included. Fig. 1 has had the reference numerals 12a, 12b, 24a, 30a and 30b added thereto.

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REMARKS/ARGUMENTS

The objection to Figs. 3 and 4 of the drawing is noted; however, in lieu of changing Figs. 3 and 4 applicants have elected to change paragraph 0025 of the specification to conform the reference numerals to the drawings.

The rejections under 35 U.S.C. §102(e) as applied to Claims 1 and 3 and under 35 U.S.C. §103(a) as applied to Claims 2 and 4 are noted and will be discussed below in reference to the amended claims and with particular reference to Fig. 1 and the revised paragraph 0023. It is noted that no new matter has been added since the new description describes in detail the lamp shown in Fig. 1 and it has long been held that

“Amendments to applications do not amount to new matter where they are explanatory of drawings as originally filed.”

Eversharp, Inc. v. Fisher Pen Co., Inc., 132 USPQ 423, (DC N.H.), 1962.

Thus, as amended, Claim 1 (and thus all of the remaining claims which are dependent from Claim 1) now recites that the light source 12 comprises a capsule 12a and a light transmissive jacket 12b whose end 30b is fitted into an open end 24a of the neck 24.

None of the cited references discloses such a lamp construction, as is it clear from a review thereof that Lapatovich et al., 2003/0193280, in all three figures, shows a lamp envelope 20 having a closed bottom penetrated only by the lead-ins 30.

Likewise, Bergman et al., 6,252,338 shows only a lamp envelope similar to that shown in Lapatovich et al., with a closed bottom penetrated only by the ferrules 25 and 26. Further, Bergman et al. teach nothing about reducing the temperature in a seal area and teach only how to add additional reflected illumination from the neck area to the overall illumination from the lamp. Neither do Bergman et al. teach nor even suggest a jacketed capsule.

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Accordingly, it is believed that this application is in condition for immediate allowance and such action is earnestly solicited.

Respectfully submitted,



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